

GAHC010083602021



2024:GAU-AS:11774

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Pet./382/2021

RANJIT SARKAR
SON OF RAMESH SARKAR
R/O RAGHUNATH PATH
ITABHATA, DHIRENPARA
P.O. AND P.S. FATASHIL AMBARI
GUWAHATI-781025, KAMRUP (M)

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, ASSAM

2:Sri Kaushik Sahoo
Mandal and Company
TRP Phukan Road
Fancy Bazar
Guwahati- 01
Assam. Ph. 600204560

Advocate for the Petitioner : MR S DAS,

Advocate for the Respondent : PP, ASSAM, MR N J DAS (r-2)

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

27.11.2024

Heard learned counsel, Mr S Das, for the petitioner, Sri Ranjit Sarkar, who has filed

this application under Section 482 of the Code of Criminal Procedure, 1973 (CrPC, for short), with prayer for quashing the CR Case No. 5558 of 2017, pending in the Court of learned JMFC, Kamrup (Metro), at Guwahati.

2. Heard Mr R R Kaushik, learned Additional Public Prosecutor for the respondent/State and learned counsel, Mr I Hussain, for the respondent No. 2, Sri Kaushik Sahoo.

3. After recording the statements of the witnesses under Section 200/202 CrPC, cognizance was taken against the petitioner, Ranjit Sarkar, under Sections 365/384/506(1) of the Indian Penal Code, 1860.

4. Learned counsel for the respondent No. 2 has submitted that a letter was forwarded by the respondent No. 2 as the respondent No. 2 is not willing to proceed with this case as the matter has been amicably settled between both the parties. The letter forwarded by the respondent No. 2 is marked as –X and will form a part of this order.

5. Learned counsel appearing on behalf of both the parties have submitted that this matter may be closed as the respondent No. 2 is not willing to proceed with this case.

6. It also appears that further proceeding of CR Case No. 5558 of 2017, will indeed be an abuse of the process of the Court.

7. Considering the submissions made on behalf of both the parties, the proceeding of CR Case No. 5558 of 2017, is hereby quashed and set aside.

8. Criminal Petition stands disposed of.

JUDGE

Comparing Assistant